

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BIANCA BUCANO and :
MELISSA BUCANO, : CIVIL ACTION NO. 3:12-CV-606
:
Plaintiffs, : (JUDGE CONABOY)
:(Magistrate Judge Blewitt)
v. :
:
JUDGE JENNIFER SIBUM, et al., :
:
Defendants. :
:

ORDER

AND NOW, THIS 6th DAY OF JUNE 2013, FOR THE REASONS SET OUT IN
THE ACCOMPANYING MEMORANDUM, IT IS HEREBY ORDERED THAT:

1. Magistrate Judge Thomas M. Blewitt's Report and Recommendation (Doc. 40) is adopted in part;
2. The amended complaint filed by Plaintiffs Bianca Bucano, Melissa Bucano, and Chistopher Bucano (Doc. 23) is dismissed with prejudice;
3. The amended complaint filed by Plaintiff Melissa Bucano (Doc. 26) goes forward only as to Plaintiff's claim against Judge Sibum regarding allegations that Judge Sibum directed that Melissa be subjected to specific confinement on suicide watch and B status on G unit;
4. Plaintiff Melissa Bucano's claims regarding the condition of her cell, and food, clothing, glasses, toilet and shower issues contained in the amended complaint filed by Plaintiff Melissa Bucano (Doc. 26) are dismissed without

prejudice;

5. All other claims contained in Document 26 are dismissed with prejudice;
6. The original Complaint (Doc. 1) filed in Civil Action Number 3:12-CV-1450, and incorporated into 3:12-CV-606, is dismissed without prejudice;
7. Plaintiffs' Motion for R.O.R. Bail Pending Appeal (Doc. 29) is denied;
8. The United States Marshal's office is directed that service of Document 26 is to be effected on Judge Jennifer Sibum and Defendant Sibum's response is due only on the single remaining claim set out above and in the accompanying Memorandum;
9. On or before July 8, 2013, Plaintiff Bianca Bucano may file *her own claim*, to be opened as a separate case, against Judge Sibum based on the alleged retaliatory nature of Judge Sibum's direction that Melissa be held on suicide watch and on B Status in G Unit, and failure to follow the Court's directives in this matter will result in dismissal with prejudice of any offending filing in its entirety;
10. On or before July 8, 2013, Plaintiff Bianca Bucano may file a *separate* complaint, to be opened as a separate case, raising her own claims that are dismissed without prejudice from the original Complaint filed in Civil

Action 3:12-CV-1450 (Doc. 1), and failure to follow the Court's directives in this matter will result in dismissal with prejudice of any offending filing in its entirety;

11. On or before July 8, 2013, Plaintiff Melissa Bucano may file a *separate* complaint, to be filed as a separate case, raising her own claims that are dismissed without prejudice from the original Complaint filed in Civil Action 3:12-CV-1450 (Doc. 1) and/or the claims related to the condition of her cell, and food, clothing, glasses, toilet and shower issues found in Document 26 of Civil Action Number 3:12-CV-606 which are dismissed without prejudice, and failure to follow the Court's directives in this matter will result in dismissal with prejudice of any offending filing in its entirety;
12. This matter is remanded to Magistrate Judge Blewitt.

S/Richard P. Conaboy
RICHARD P. CONABOY
United States District Judge